

VS.

DALLAS COUNTY, TEXAS

JOSE ESCAMILLA

JULY TERM 19 97

CAUSE NO. F96-52623-MI

REGULAR PROBATION XX

C-226003.000

DEFERRED ADJUDICATION
SHOCK PROBATION
STATE JAIL FELONY

In accordance with the authority conferred by the Adult Probation and Parole Law of the State of Texas, you have been placed on probation on this date September 3, 1997 for a period of 2 years. It is the order of this Court that you comply with the following conditions of probation:

- (a) Commit no offense against the laws of this or any other State or the United States, and do not possess a firearm during the term of probation;
- (b) Avoid injurious or vicious habits, and do not use marijuana, narcotics, dangerous drugs, inhalants or prescription medication without first obtaining a prescription for said substances from a licensed physician;
- (c) Avoid persons or places of disreputable or harmful character and do not associate with individuals who commit offenses against the laws of this or any other State or the United States;
- (d) Obey all the rules and regulations of the probation department, and report to the Probation Officer as directed by the Judge or Probation Officer; to-wit: In Person Monthly or Twice Monthly;
- (e) Permit the Probation Officer to visit you at your home or elsewhere, and notify the Probation Officer not less than twenty-four (24) hours prior to any changes in your home or employment address;
- (f) Work faithfully at suitable employment as far as possible, and seek the assistance of the probation officer in your efforts to secure employment when unemployed;
- (g) Remain within a specified place; to-wit: Dallas County, Texas, and do not travel outside Dallas County, Texas, without first having obtained written permission from the Court;
- (h) Pay Court cost and fine, if one be assessed, in one or several sums to the District Clerk of Dallas County, Texas; \$126.50 due by October 3, 1997;
- (i) Support your dependents;
- (j) Pay a probation fee of \$25.00 per month to the Probation Officer of this Court on or before the first day of each month hereafter during probation;

EXHIBIT "A" ATTACHED HEREWITH AND THEREBY INCORPORATED FOR ALL PURPOSES

NO. F96-52623MI

THE STATE OF TEXAS } IN THE CRIMINAL DISTRICT COURT NO. 2
VS. } OF DALLAS COUNTY, TEXAS
JOSE ESCAMILLA } OCTOBER TERM, A.D. 19 98

STATE'S MOTION TO WITHDRAW ITS MOTION
TO REVOKE PROBATION

TO THE HONORABLE JUDGE OF SAID COURT:

Now Comes JOHN VANCE, Criminal District Attorney of Dallas County, Texas, by and through his Assistant District Attorney of Dallas County, Texas, in the above entitled and numbered cause and respectfully requests the Court to allow the State to withdraw its Motion to Revoke Probation filed herein.

This the 10TH day of OCTOBER , 19 98

JOHN VANCE
CRIMINAL DISTRICT ATTORNEY
DALLAS COUNTY, TEXAS
BY Patricia M. Hogan
Assistant District Attorney
Dallas County, Texas

Q R D E R

State's Motion to Withdraw its Motion to Revoke Probation is granted and the Defendant is released from custody, and the terms and conditions of probation are heretofore imposed.

Judge
CRIMINAL DISTRICT COURT NO. 2
OF DALLAS COUNTY, TEXAS

THE STATE OF TEXAS

VS.

JOSE ESCAMILLA

CRIMINAL DISTRICT COURT NO. 2

DALLAS COUNTY, TEXAS

OCTOBER TERM, 1997

MOTION TO REVOKE PROBATION

COMES NOW the State of Texas by and through her Criminal District Attorney and would show the Court the following:

That JOSE ESCAMILLA, Defendant was duly and legally convicted in the above entitled and numbered cause in the CRIMINAL DISTRICT COURT NO. 2 of Dallas County, Texas, on the 3RD day of SEPTEMBER, A.D. 1997 of the offense of

UNAUTHORIZED USE OF A VEHICLE, A STATE FELONY OFFENSE AS CHARGED IN THE INDICTMENT

and placed on probation for a period of TWO (2) years.

That the Defendant has violated the following conditions (a), (b), (i), (k) & (l) of said probation in that:

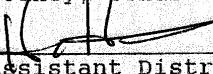
SEE PAGE -2- ATTACHED.

This violation offense occurred after September 3, 1997 and during the term of probation.

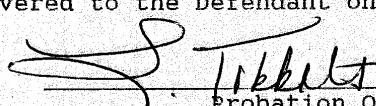
WHEREFORE, the State prays that said Defendant be cited to appear before this Honorable Court and show cause why his probation should not be revoked; and that upon a final hearing, the probation heretofore granted said Defendant be revoked.

This the 24TH day of DECEMBER, A.D. 19 97

JOHN VANCE
District Attorney
Dallas County, Texas

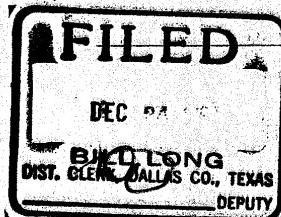
BY: 
Assistant District Attorney

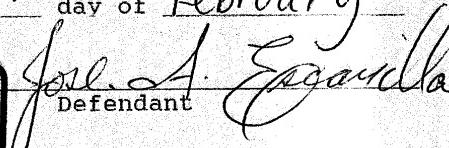
A copy of this motion was delivered to the Defendant on the 6th day of February, A.D. 19 98.


Probation Officer

I received a copy of this motion on the 6th day of February, A.D. 19 98.

(ML#C-226003.003)
AJ/kt



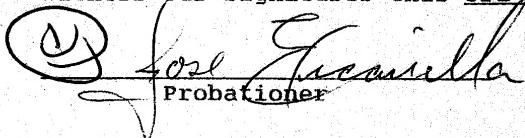

Jose A. Escamilla
Defendant

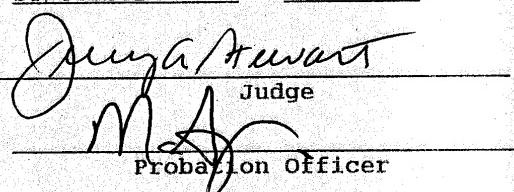
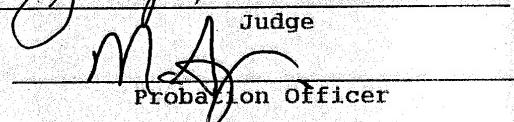
CONDITIONS OF PROBATION
EXHIBIT "A"

- (k) Pay a fine in the amount of \$400.00 through the community supervision officer of this court at the rate of \$25.00 per month. First payment is due on or before November 1, 1997 and a like payment is due on or before the first day of each month thereafter until paid in full.
- (l) Make restitution in the amount of \$1,000.00 for the loss sustained by the injured party. Payments are to be paid through the community supervision officer of this court at the rate of \$55.00 per month. First payment is due on or before November 1, 1997 and a like payment is due on or before the first day of each month thereafter until paid in full.
- (m) Probationer will submit to any urinalysis, or any other test, used for determination of usage of any form of substance.
- (n) Defendant will work and complete no later than August 1, 1999, 120 hours of community service at an approved community service project or projects designated by the Community Supervision and Corrections Department. A processing fee of \$50.00 payable to the Volunteer Center will be required for referrals through the Volunteer Center.

You are hereby advised that under the law of this State, the Court shall determine the terms and conditions of your probation, and may at any time during the period of probation, alter or modify the conditions of your probation. The Court also has the authority at any time during the period of probation to revoke your probation, or proceed to adjudication, for violation of any of the conditions of your probation set out above.

Witness our Signatures this 3rd day of September 19 97.


Jose Guacimilla
Probationer


Douglas Stewart
Judge

M.A.
Probation Officer

(ML#C-226003.000)
AJ/aj

Case 3:06-CV-02248-O Document 26-4 Filed 05/05/08 Page 5 of 17 PageID 500
DEFENDANT 4045 WISENBURGER DALLAS

ADDRESS TXDPD0000 12/16/96 LOCATION _____
FILING AGENCY DAVID SILVA DATE FILED COURT F96-52623
COMPLAINANT ENRIQUE MARTINEZ, CARLOS ARIAS
C/C _____

TRUE BILL OF INDICTMENT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS: The Grand Jury of Dallas County,
JANUARY 97

State of Texas, duly organized at the 194TH JUDICIAL Term, A.D. 19 _____ of the

District Court _____, Dallas County, in said court at said

Term, do present that one JOSE ESCAMILLA, defendant,

on or about the 17TH NOVEMBER 96 in the County of Dallas and said State, did

unlawfully, knowingly and intentionally appropriate property, namely:
exercise control over property, other than real property, to-wit: a
pickup truck, of the value of at least \$1,500.00 but less than
\$20,000.00, with intent to deprive the owner, DAVID SILVA, of the
property, and the said property was stolen and the defendant did
appropriate the said property knowing that the property was stolen by
another,

inst the peace and dignity of the State.
JOHN VANCE

General District Attorney of Dallas County, Texas.


W.G. Klemm
Foreman of the Grand Jury.

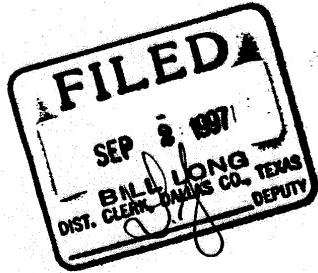
Case 5:00-cv-02248-O-BH Document 26-4 Filed 05/05/01 Page 6 of 17 PageID 501
 DEFENDANT 4945 WISENBURG DALLAS DS

ADDRESS TXDPD00000 12/16/96 LOCATION _____
 FILING AGENCY DATE FILED COURT R96-52623
 COMPLAINANT DAVID SILVA
 C/C ENRIQUE MARTINEZ, CARLOS ARIAS
 THE STATE OF TEXAS CAUSE NO. 1E96 52623
 VS. CDC 2 DISTRICT COURT CR
Jose Escamilla
 DALLAS COUNTY, TEXAS

JUDICIAL CONFESSION

Comes now Defendant in the above cause, in writing and in open Court, and consents to the stipulation of the evidence in this case and in so doing expressly waives the appearance, confrontation and cross-examination of witnesses. I further consent to the introduction of this Judicial Confession, and testimony orally, by affidavits, written statements of witnesses and other documentary evidence. Accordingly, having waived my Federal and State constitutional right against self-incrimination, and after having been sworn, upon oath, I judicially confess to the following facts and agree and stipulate that these facts are true and correct and constitute the evidence in this case:

On the 17 day of Nov. 19 96, in Dallas County, Texas, I did unlawfully, unlawfully, knowingly and intentionally appropriate property, namely exercise control over property, other than real property, to-wit: a pickup truck, of the value of at least \$1,500.00 but less than \$20,000.00, with intent to deprive the owner, DAVID SILVA, of the property, and the said property was stolen and the defendant did appropriate the said property knowing that the property was stolen by another,



I further judicially confess that I committed the offense with which I stand charged exactly as alleged in the indictment in this cause.

APPROVED BY:

Robert Sarabs
 Attorney for Defendant

SWORN TO AND SUBSCRIBED before me on the 2nd day of Sept. 19 91.

APPROVED BY:

Beth Metz
 Assistant District Attorney

Jose Escamilla
 Defendant

BILL LONG CLERK
 DISTRICT COURTS OF
 DALLAS COUNTY, TEXAS
 By J. J. Munn
 Deputy District Clerk

Defendant's agreement to stipulate and waiver of confrontation and cross-examination of witnesses are in all things approved by the Court. The above Judicial Confession is hereby approved by the Court.

PRESIDING JUDGE

Cause No. F9652623THE STATE OF TEXAS
V.IN THE C.R.
DISTRICT COURT CAC 1
DALLAS COUNTY, TEXASJose Esamilla**PLEA BARGAIN AGREEMENT****TO THE HONORABLE JUDGE OF SAID COURT:**

Comes now Defendant, Counsel for Defendant, and Counsel for State herein and would show that a plea bargain agreement has been entered into between the undersigned, and that under the terms of said agreement both sides agree they will waive their right to a jury trial and agree to and recommend the following:

Defendant will plead guilty _____ nolo contendereDefendant will testify will not testify _____

_____ confinement in Penitentiary for _____ years.

 confinement in [State Jail] [County Jail] for _____ [days] fine \$ 400 _____ [years]**NO PROBATION** **PROBATION TO BE GRANTED FOR** 2 years subject to all the terms and conditions imposed by the trial court. Further, the judge, as provided by Article 42.12, Sec. 11 & 15 V.A.C.C.P., may at any time during the period of probation alter or modify the conditions.

_____ confinement in [State Jail] [County Jail] for _____ days as a condition of Probation.

_____ supervised work or community service for _____ hours as required by Article 42.12, Sec. 16 V.A.C.C.P.

_____ **SHOCK PROBATION TO BE GRANTED** _____ days after sentence, subject to good behavior of defendant in the Penitentiary._____ participation in **SPECIAL ALTERNATIVE INCARCERATION PROGRAM.**

Conviction to be as follows:

<input checked="" type="checkbox"/>	Felony	2 1997	Misdemeanor
<input type="checkbox"/>	Non-conviction	DET. SONG	Restitution
<input type="checkbox"/>	Probation	DIST. CLERK DALLAS CO. TEXAS	(HAS 2 CO-15)

_____ No credit for back time served

Defendant's back time date is: _____

Additional provisions of the agreement are: _____

The undersigned certify they have read the terms of the above agreement and that it fully contains all the provisions of said agreement.

JOHN VANCE
DISTRICT ATTORNEY
DALLAS COUNTY, TEXAS

By Burt M. Stewart
Assistant District Attorney

X-Jose Esamilla
Defendant
Ruth Sandra
Counsel for Defendant

If a victim impact statement has been returned to the State, a copy of said statement shall be turned over to the Court by the State's attorney prior to the Court's acceptance of this plea.

11/17/96 1425

DALLAS POLICE DEPARTMENT

PAGE 01

SERVICE#: 1074670E

ARREST#: 96-079019

AFFIDAVIT FOR ARREST WARRANT COUNTY OF DALLAS STATE OF TEXAS

BEFORE ME, THE UNDERSIGNED AUTHORITY, ON THIS DAY PERSONALLY APPEARED THE UNDERSIGNED AFFIANT WHO, AFTER BEING DULY SWEORN BY ME, ON OATH STATED: MY NAME IS C.J. LEWIS AND I AM A PEACE OFFICER OF THE CITY OF DALLAS, DALLAS COUNTY, TEXAS. I, THE AFFIANT, HAVE GOOD REASON AND DO BELIEVE THAT ON OR ABOUT 17 NOVEMBER 1996 ONE ESCAMILLA, JOSE, DID THEN AND THERE IN THE CITY OF DALLAS, DALLAS COUNTY, TEXAS COMMIT THE OFFENSE(S) OF:

UUMV

SJ 31.07 1074670E

AFFIANT'S BELIEF IS BASED UPON THE FOLLOWING FACTS AND INFORMATION:

REYES, JOEL LUCAS # 7340, A FELLOW PEACE OFFICER OF THE CITY OF DALLAS, DALLAS COUNTY, TEXAS, WHO PERSONALLY PARTICIPATED IN THE INVESTIGATION OF THESE ALLEGED OFFENSE(S), PROVIDING THIS INFORMATION TO AFFIANT, AND WHOSE INFORMATION AFFIANT BELIEVES TO BE CREDIBLE.

ON NOVEMBER 17, 1996 AT ABOUT 0600 A.M. OFFICER(S) REYES, JOEL LUCAS # 7340 AND JORDAN, BRADLEY # 5599 PERSONALLY OBSERVED THE MOTOR VEHICLE IN WHICH THE SUSPECT WAS THE DRIVER COMMIT THE TRAFFIC VIOLATION OF ARRESTEE ESCAMILLA FRONT SEAT PASSENGER IN VEHICLE PUSHING A POSSIBLY STOLEN VEHICLE, 3900 WEST ILLINOIS AVE A PUBLIC STREET OR HIGHWAY IN DALLAS, DALLAS COUNTY, TEXAS.

CHARGE DESCRIPTION: UUMV

ARRESTING OFFICERS REYES #7340 AND JORDAN #5599 WERE IN ROUTE TO DISTURBANCE CALL IN THE 4400 BLOCK OF WEST ILLINOIS AVE. WHEN ARRESTING OFFICERS OBSERVED ARRESTEE #1 MARTINEZ, ENRIQUE DRIVING EAST BOUND, DOWN THE 3900 BLOCK OF WEST ILLINOIS AVE. WITHOUT HEADLIGHTS ILLUMINATED ARRESTEE #1 MARTINEZ, ENRIQUE WAS ACCCOMPANIED WITH ARRESTEE #2 ARIAS, CARLOS, WHO WAS THE FRONT SEAT PASSENGER IN THE STOLEN VEHICLE; A 1991 CHEVROLET PICKUP, LIC #6457ZB 1997 TEXAS, COLOR BLUE, VIN#2GCEC19K2M1216885. THE STOLEN VEHICLE WAS BEING PUSHED BY THE SUSPECT VEHICLE WHICH BELONGS TO ARRESTEE #1 MARTINEZ, ENRIQUE. SUSPECT VEHICLE WAS DRIVEN BY ARRESTEE #3 MARTINEZ, RUBEN WHO WAS ACCCOMPANIED BY ARRESTEE #4 ESCAMILLA, JOSE, WHO WAS THE FRONT SEAT PASSENGER IN THE SUSPECT VEHICLE. ARRESTING OFFICERS STOPPED BOTH VEHICLES, IN THE 3900 BLOCK OF WEST ILLINOIS, AVE., HOWEVER ARRESTEE #1 MARTINEZ, ENRIQUE AND ARRESTEE #2 ARIAS, CARLOS ABANDONED THE STOLEN VEHICLE, WHILE IT WAS IN GEAR. ARRESTEE MARTINEZ, ENRIQUE STARTED RUNNING

11/17/96 1425

DALLAS POLICE DEPARTMENT

PAGE 02

SERVICE#: 1074670E

ARREST#: 96-079019

AFFIDAVIT (CONTINUED)

EAST BOUND, DOWN THE 3900 BLOCK OF WEST ILLINOIS AVE, AND TAKEN INTO CUSTODY, BY ARRESTING OFFICER REYES #7340 AFTER A SHORT FOOT CHASE, IN THE 3800 BLOCK OF WEST ILLINOIS AVE. ARRESTEE #2 ARIAS, CARLOS GOT INTO THE PASSENGER SIDE, OF THE SUSPECT VEHICLE, WHICH WAS DRIVEN BY ARRESTEE #3, MARTINEZ, RUBEN, WHO THEN DROVE EAST BOUND 3900 BLOCK WEST ILLINOIS AVE. ARRESTING OFFICER JORDAN #5599 STOPPED THE ROLLING STOLEN VEHICLE, AND PLACED THE GEAR SHIFT INTO PARK, TO PREVENT THE VEHICLE FROM CAUSING ANY DAMAGE. SUSPECT VEHICLE WAS STOPPED BY ARRESTING OFFICER SGT. KING #4058 IN THE 3800 BLOCK OF ROLINDA. ARRESTEE #2 ARIAS, CARLOS, ARRESTEE #3 MARTINEZ, RUBEN, AND ARRESTEE #4 ESCAMILLA, JOSE WERE TAKEN INTO CUSTODY WITHOUT FURTHER INCIDENT BY ARRESTING OFFICERS SGT. KING #4058, REYES #7340, JORDAN #5599, IBARRA #6759, JOHNSON #6742 AND KEY #5535 IN THE 3800 BLOCK OF ROLINDA. ARRESTING OFFICERS BRATT #5445 AND MCDANIEL #7344 HELPED RECOVER THE STOLEN VEHICLE. ARRESTING OFFICERS JORDAN #5599 AND REYES #7340 EXAMINED THE RECOVERED VEHICLE FURTHER AND NOTED THE FRESHLY BROKEN PASSENGER SIDE WINDOW, AND BROKE STEERING COLUMN. THE GLOVE BOX HAD ALSO BEEN BROKEN INTO AND ITS CONTENTS, OF COMPACT DISK WERE SCATTERED THROUGH OUT THE VEHICLE. ARRESTING OFFICERS WERE UNABLE TO CONFIRM THE RECOVERED VEHICLE STOLEN, DUE TO NCIC RECORDS BEING DOWN, AND A SEARCH OF THE VEHICLE DID NOT REVEAL ANY TYPE OF REGISTRATION OR OWNERSHIP DOCUMENTS. AUTO THEFT INV. SKINNER #4309 ADVISED ARRESTING OFFICERS TO DO A FOUND PROPERTY REPORT UNTIL FURTHER INFORMATION WAS GATHER. ARRESTING OFFICERS WERE ABLE TO CONTACT LISTED WITNESS VALENCIA WHO STATED HE SAW THE ARRESTEES BREAK OUT THE PASSENGER WINDOW, HEARD THE ALARM SYSTEM GO OFF OF THE STOLEN VEHICLE. THE WITNESS NOTIFIED POLICE THEN WATCHED THE VEHICLES TRAVELING EAST BOUND DOWN THE 4300 BLOCK OF WEST ILLINOIS, BEFORE POLICE ARRIVED. WITNESS VALENCIA WAS ABLE TO GIVE ARRESTING OFFICERS MATCHING PHYSICAL DESCRIPTIONS OF THE ARRESTEES, AND THEIR ACTIONS. ARRESTING OFFICER JORDAN #5599 READ ARRESTEE MARTINEZ, ENRIQUE AND ARRESTEE #3 MARTINEZ, RUBEN THEIR MIRAND RIGHTS AND BOTH ARRESTEES FREELY STATED THAT ARRESTEE #1 MARTINEZ, ENRIQUE HAD BROKEN THE WINDOW, WHILE THE OTHER ARRESTEES HELPED. ARRESTEES COULD NOT GET THE VEHICLE STARTED, BECAUSE OF KILL SWITCH ON ANTI-THEFT DEVICE. ARRESTEE #3 MARTINEZ, RUBEN WAS TRANSPORTED TO YOUTH BY ARRESTING OFFICERS REYES #7340 AND JORDAN #5599 AND BOOKED IN AT 10:30 A.M. ARRESTEE #1 MARTINEZ, ENRIQUE, ARRESTEE #2 ARIAS, CARLOS, AND ARRESTEE #4 ESCAMILLA, JOSE WERE TRANSPORTED TO LEW STERRETT BY ARRESTING OFFICERS JOHNSON #6742 AND IBARRA #6759 AND BOOKED IN AT 7:30 A.M. VALUE OF THIS VEHICLE IS \$10,000.00 NFI

11/17/96 1425

DALLAS POLICE DEPARTMENT

PAGE 13

SERVICE#: 1074670E

ARREST#: 96-079019

AFFIDAVIT (CONTINUED)

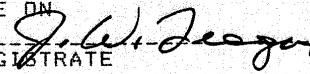


AFFIANT

WHEREFORE AFFIANT REQUESTS THAT AN ARREST
WARRANT BE ISSUED FOR THE ABOVE ACCUSED
INDIVIDUAL IN ACCORDANCE WITH THE LAW.

SUBSCRIBED AND SWORN TO BEFORE ME ON
DATE:

NOV 17 1996



MAGISTRATE

REQUEST FOR REDUCTION OF PERIOD OF PROBATION

778-4467-MJ

NO. _____

STATE OF TEXAS

CRIMINAL

DISTRICT COURT NO. 3

VS.

DALLAS COUNTY, TEXAS

JUAN ESCAMILLA

AUGUST 11, 19

80

On the 6TH day of JUNE, 1978, this defendant was placed on probation for a period of 3 years.

As of this date, this defendant has satisfactorily completed one-third of the original probationary period; therefore, it is requested that the period of probation be reduced from 3 years to 2 years and 2 months.

PROBATION OFFICER

CRIMINAL

DISTRICT COURT NO. 3

DALLAS COUNTY, TEXAS

et

ORDER SETTING ASIDE JUDGMENT OF CONVICTION
DISMISSING THE INDICTMENT
AND DISCHARGING DEFENDANT FROM PROBATION

CRIMINAL DISTRICT COURT NO. 3

DALLAS COUNTY, TEXAS

JULY TERM, 19 80
AUGUST 11, 19 80

THE STATE OF TEXAS

VS. NO. F78-4467-NJ

JUAN ESCAMILLA

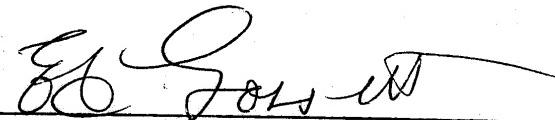
On the 9TH day of JUNE, 19 78, the defendant
in the above entitled and numbered cause was placed on probation by this Court for a
period of 3 years for the offense of

Unlawful Carrying Weapon in Tavern, a Third-Degree Felony,
as charged in the indictment

Said defendant has satisfactorily completed one-third or two years of his probationary period, and has complied with all the terms and conditions of said probation.

The Court is of the opinion that the ends of justice have been served and the interests of the defendant and of society will be best served by a discharge of defendant from further probation.

It is therefore hereby ordered, adjudged and decreed that the judgment of Conviction heretofore entered against the Defendant in this case be and the same is hereby set aside, the indictment dismissed, and the defendant discharged from said probation, and the defendant is hereby released from all penalties and disabilities resulting from the Judgment of Conviction in this cause.


JUDGE

CRIMINAL District Court NO. 3
Dallas County, Texas

(R&R)

ct

JUDGMENT AND PROBATION PLEA OF GUILTY JURY WAIVED NON-CAPITAL
 Form No. 583 (Rev. May 78)

MINUTES OF THE	Criminal	DISTRICT COURT	No. 3 OF DALLAS COUNTY, TEXAS
		No. F78-4467-NJ	April 78 Term, A.D. 19 78
THE STATE OF TEXAS VS.			June 9, A.D. 19 78
<u>Juan Escamilla</u>			

JUDGMENT

The defendant having been indicted in the above entitled and numbered cause for the felony offense of Unlawful Carrying of Weapon Handgun; in a tavern as charged in the indictment and this cause being this day called for trial, the State appeared by her assistant

Criminal District Attorney Bob Smith and the Defendant Juan Escamilla

appeared in person and his counsel Abe Flores also being present and both parties announced ready for trial, and the Defendant in person and in writing in open court having waived his right of trial by jury, such waiver being with the consent and approval of the Court and now entered of record on the minutes of the Court and such waiver being with the consent and approval of the Criminal District Attorney of Dallas County, Texas, in writing, signed by him, and filed in the papers of this cause before the Defendant entered his plea herein, the defendant was duly arraigned and in open Court pleaded Guilty to the charge contained in the indictment; thereupon the defendant was admonished by the Court of the consequences of the said plea and the defendant persisted in entering said plea, and it plainly appearing to the Court that the defendant is mentally competent and that he is uninfluenced in making said plea by any consideration of fear, or by any persuasion, or delusive hope of pardon prompting him to confess his guilt, the said plea was accepted by the Court and is now entered of record as the plea herein of the Defendant. The defendant in open Court, in writing, having waived the reading of the indictment, the appearance, confrontation, and cross-examination of witnesses, and agreed that the evidence may be stipulated and consented to the introduction of testimony by affidavits, written statements of witnesses and any other documentary evidence, and such waiver and consent having been approved by the Court in writing and filed in the papers of the cause; and, the Court having heard the Defendant's waiver of the reading of the indictment, the defendant's plea thereto, the evidence submitted, and the argument of counsel, is of the opinion from the evidence submitted that the defendant is guilty as charged.

IT IS THEREFORE CONSIDERED AND ADJUDGED BY THE COURT, that the said Defendant is guilty of the felony offense of Unlawful Carrying weapon; Handgun in a tavern as charged in the indictment and that the said Defendant committed said offense on the 29 day of April, 1978, and that he be punished by confinement in the Texas Department of Corrections for 3 years, and that the State of Texas do have and recover of the said defendant all costs in this prosecution expended, for which execution will issue; and that said defendant be remanded to the Sheriff of Dallas County, Texas, to await the further order of the Court herein; and it is further ordered by the Court that the imposition of sentence of the Judgment of conviction of the Court herein shall be suspended for a period of 3 years and that Defendant be placed on Probation during the period of time fixed by the Court, under the conditions to be determined by the Court in accordance with the provisions of the law governing Adult Probation of said State.

ORDER SUSPENDING IMPOSITION OF SENTENCE AND PLACING DEFENDANT ON PROBATION

THE STATE OF TEXAS
VS.

Juan Escamilla F78-4467-NJ June 9, 78
No. _____ 19_____

THIS DAY this cause being again called, the State appeared by her Criminal District Attorney, and the Defendant, Juan Escamilla Abe Flores also being present, for the purpose of placing the Defendant on probation under the judgment herein heretofore rendered and entered against him by the Court, and it appearing to the Court that the Defendant is mentally competent and understanding of the English language, the Court in the presence of said Defendant and his counsel proceeded to place Defendant on probation as heretofore determined by the Court.

IT IS THE ORDER OF THE COURT, that the said Defendant, who has been adjudged by the Court to be guilty of Unlawful carrying Weapon a handgun in a Tavern as charged in the indictment and whose punishment has been assessed by the Court at confinement in the Texas Department of Corrections for 3 years in

this said cause be placed on probation for a period of 3 years, in accordance with the provisions of the law governing Adult Probation of said State, it appearing to the Court that the ends of justice and the best interests of the public, as well as the Defendant, will be subserved by suspending the imposition of the sentence herein and placing the Defendant on probation.

IT IS, THEREFORE, ordered, adjudged and decreed by the Court that the imposition of sentence herein be and the same is

hereby suspended and that the Defendant be and he is hereby placed on probation for a period of 3 years, upon the following terms and conditions, to-wit: That during the term of probation, the Defendant shall;

- (a) Commit no offense against the laws of this or any other state or the United States;
- (b) Avoid injurious or vicious habits;
- (c) Avoid persons or places of disreputable or harmful character;
- (d) Report to the probation officer, as directed, to-wit: monthly;
- (e) Permit the probation officer to visit him at his home or elsewhere;
- (f) Work faithfully at suitable employment as far as possible;
- (g) Remain within a specified place, to-wit: Dallas County, Texas;
- (h) Pay his fine, if one be assessed, and court costs as fixed by the Court, whether a fine be assessed or not in one or several sums and make restitution or reparation in any sum that the court shall determine; Pay court costs in the amount of \$26.00 (26.00) to the District Clerk of Dallas County, Texas;
- (i) Support his dependents; and

- (j) Pay a Probation fee of \$15.00 per month to the Probation Officer of this Court on or before the 1st day of each month hereafter during probation.

For any further orders regarding sentence or probation herein; refer to Vol _____, page _____, Minutes of said Court.

NO. F78-4467-NJ

FILED

THE STATE OF TEXAS
VS.

JUAN ESCAMILLA

CRIMINAL DISTRICT COURT #3

DALLAS COUNTY, TEXAS DIST CT 3

DALLAS COUNTY, TEXAS

JUNE 9 BILL SHAW, DIST CLERK

, 1978

M. Janzen

CONDITIONS OF PROBATION

(PL)

THE STATE OF TEXAS

Vs.

No. F78-4467-NJ

IN THE CRIMINAL DISTRICT COURT NO. 3

DALLAS COUNTY, TEXAS

JUAN ESCAMILLA

APRIL Term 19 78

To

JUAN ESCAMILLA

815 Comal St., Apt. #G, Dallas, TX 75203 Dallas County, Texas

In accordance with the authority conferred by the Adult Probation and Parole Law of the State of Texas, you have been placed on probation on this date, JUNE 9, 1978 for a period of 3 years by the Honorable JAMES B. ZIMMERMANN, Judge, Criminal District Court No. 3 Dallas County, Texas.

It is the order of the Court that you shall comply with the following conditions of probation:

- (a) Commit no offense against the laws of this or any other State or the United States;
- (b) Avoid injurious or vicious habits;
- (c) Avoid persons or places of disreputable or harmful character;
- (d) Report to the probation officer as directed; To-wit: Monthly;
- (e) Permit the probation officer to visit you at your home or elsewhere;
- (f) Work faithfully at suitable employment as far as possible;
- (g) Remain within a specified place; To-wit: Dallas County, Texas;
- (h) Pay your fine, if one be assessed, in one or several sums, and make restitution or reparation in any sum that the court shall determine; and pay court cost in the amount of \$26.00 to the District Clerk of Dallas County, Texas; COURT COST DUE IN 30 DAYS
- (i) Support your dependents; and
- (j) Pay a probation fee of \$ 15.00 per month to the Probation Officer of this Court on or before the 1st day of each month hereafter during probation.

You are hereby advised that under the law of this State, the Court shall determine the terms and conditions of your probation, and may at any time during the period of probation, alter or modify the conditions of your probation. The Court also has the authority at any time during the period of probation to revoke your probation for violation of any of the conditions of your probation set out above.

The Court has placed you on probation, believing that if you sincerely try to obey and live up to the conditions of your probation, your attitude and conduct will improve to the benefit of the public and of yourself.

Witness our Signatures this 9th day of

Juan Escamilla
Probationer

elt

JUNE 19 78

Juan Escamilla
Presiding Judge

Doug Blakely
Probation Officer

DALLAS COUNTY, TEXAS

THE STATE OF TEXAS

VS.

JUAN ESCAMILLA

CAUSE NO. FN8-4467-NJ
FILED

9 JUN 78 09 58

PLEA BARGAIN AGREEMENT CT 3

DALLAS COUNTY, TEXAS

BILL SHAW DIST CLERK

COMES NOW DEFENDANT, COUNSEL FOR DEFENDANT, AND COUNSEL FOR STATE in the above cause and would show further that a plea bargain has been entered into by and between the undersigned parties, and that under the terms of said plea bargain the defendant will waive his right to jury trial in this case and enter a PLEA OF GUILTY before the Court; that further under the terms of said plea bargain, counsel for the State will recommend the Court impose the following punishment:

CONFINEMENT

- Confinement Texas Department of Corrections for 3 year
 Confinement in Dallas County Jail for _____ days.
 Work Release agreed to.
 Weekend Service agreed to.

FINE

- Fine in amount of \$ _____.
 Installment pay agreement authorized.

PROBATION

- Application for probation granted.
 Application for probation denied.

NATURE OF CONVICTION

- Felony.
 Misdemeanor.
 Lesser included offense of _____.

OTHER TERMS

TIME CREDIT

Credit given for _____ days in jail.

Sentence to begin _____.

THE UNDERSIGNED CERTIFY THAT THEY HAVE READ THE FOREGOING, AND THAT IT CONTAINS ALL THE TERMS OF THIS PLEA BARGAIN TO WHICH THEY HAVE AGREED.

Juan Escamilla
Defendant

Alej. Flores
Counsel for Defendant

Assistant District Attorney

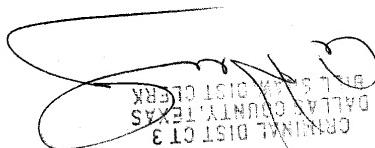
CAUSE NO. F78-4467-J

STATE OF TEXAS IN THE CRIM. DISTRICT
VS. COURT NO. 3 OF
JUAN ESCAMILLA DALLAS COUNTY, TEXAS

STATE'S ANNOUNCEMENT OF READY FOR TRIAL

NOW COMES the State of Texas in the above styled and numbered cause and, on this the 1st day of June, 1978, announces to the Court that it is ready for trial.


ASSISTANT DISTRICT ATTORNEY
DALLAS COUNTY, TEXAS



1 JUN 18 14 06

FILED

DEFENDANT JUAN ESCAMILLA IV/8-20-48 PRO WEAP/TAVERN
ADDRESS 815 Comal ST #G LOCATION CITY JAIL
FILING AGENCY DPD DATE FILED 5-2-78 COURT BROWN
COMPLAINANT J. H. Henley 7805300
C/C _____

F-78-4467 NJ

TRUE BILL OF INDICTMENT

IN THE NAME AND BY THE AUTHORITY OF THE STATE OF TEXAS, the Grand Jurors, good and lawful men of the County of Dallas, duly elected, tried, empaneled, sworn and charged to inquire of offenses committed within the body of said Dallas County, upon their oaths do present in and to the 195th Judicial District Court, of Dallas, County, at the January Term, A.D., 19 78, that one,

JUAN ESCAMILLA

hereinafter styled Defendant, on or about the 29 day of April in the year of our Lord One Thousand Nine Hundred and 78 in the County and State aforesaid, did unlawfully,

knowingly and intentionally carry on and about his person a handgun, while on certain premises licensed and issued a permit by The State of Texas for the sale and service of alcoholic beverages, to-wit: 2606 Caroline, Dallas, Texas, in the said County and State aforesaid.

contrary to the form of the Statute in such cases made and provided, and against the peace and dignity of the State.

HENRY WADE

Criminal District Attorney of Dallas County, Texas.

Porter Ellis
Foreman of the Grand Jury.